

Margaret Abe-Koga, Councilmember
Ronit Bryant, Councilmember
John M. Inks, Councilmember

Daniel H. Rich, City Manager
Lorrie Brewer, City Clerk



Christopher R. Clark, Mayor

R. Michael Kasperzak, Jr., Councilmember
John McAlister, Vice Mayor
Jac Siegel, Councilmember

Jannie L. Quinn, City Attorney

December 02, 2014

Council Chambers - 500 Castro Street

5:30 P.M.-STUDY SESSION (HELD IN THE PLAZA CONFERENCE ROOM)

1. CALL TO ORDER

Mayor Clark called the meeting to order at 5:30 p.m.

2. ROLL CALL

Present: 7 - Councilmember Abe-Koga, Councilmember Bryant, Councilmember Inks, Councilmember Kasperzak, Councilmember Siegel, Vice Mayor McAlister, and Mayor Clark

3. STUDY SESSION

3.1 Comprehensive Annual Financial Report and Other Related Reports for the Fiscal Year Ended June 30, 2014.

Hear a presentation by, and ask questions of, staff and the City's external auditor regarding the City's Comprehensive Annual Financial Report (CAFR) and other related reports for the Fiscal Year ended June 30, 2014.

Finance and Administrative Services Director Kong and Maze & Associates Audit Vice President Katherine Yuen presented oral reports and responded to Council's questions.

The Study Session concluded at 5:51 p.m.

6:30 P.M.-REGULAR SESSION (HELD IN THE COUNCIL CHAMBERS)

1. CALL TO ORDER

Mayor Clark called the meeting to order at 6:31 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor Clark led the Pledge of Allegiance.

3. ROLL CALL

Present: 7 - Councilmember Abe-Koga, Councilmember Bryant, Councilmember Inks, Councilmember Kasperzak, Councilmember Siegel, Vice Mayor McAlister, and Mayor Clark

4. CONSENT CALENDAR

Vice Mayor McAlister requested that Item 4.1 be removed from the Consent Calendar.

Councilmember Inks requested that Item 4.3 be removed from the Consent Calendar.

Mayor Clark requested that Item 4.5 be removed from the Consent Calendar.

MOTION - M/S Kasperzak/Abe-Koga - To approve the remaining items on the Consent Calendar. The motion carried by the following vote:

Yes: 7 - Councilmember Abe-Koga, Councilmember Bryant, Councilmember Inks, Councilmember Kasperzak, Councilmember Siegel, Vice Mayor McAlister, and Mayor Clark

4.1 Increase Appropriations for Utility Payment Processing Fees.

City Manager Rich and Finance and Administrative Services Director Kong responded to Council's questions.

MOTION - M/S Kasperzak/McAlister - To increase appropriations \$70,000 in the Finance and Administrative Services Department Water Fund for utility payment processing fees, and to direct staff to bring back a memo as part of the budget process regarding how other cities process credit card payments in terms of cost recovery (five votes required). The motion carried by the following vote:

Yes: 7 - Councilmember Abe-Koga, Councilmember Bryant, Councilmember Inks, Councilmember Kasperzak, Councilmember Siegel, Vice Mayor McAlister, and Mayor Clark

4.2 City Auditor's Annual Report for Fiscal Year 2013-14 and Work Plan for Fiscal Year 2014-15.

1. Accept and file the City Auditor's Annual Report for Fiscal Year 2013-14; and

2. Approve the City Auditor's Work Plan for Fiscal Year 2014-15 as recommended.

4.3 Fiscal Year 2013-14 Annual Report of Developer Impact Funds.**MOTION - M/S Kasperzak/Bryant - To:****1. Below-Market-Rate Housing Fund:**

a. Acknowledge and file the annual Below-Market-Rate Housing Fund report for the period ending June 30, 2014.

2. Housing Impact Fund:

a. Acknowledge and file the annual Housing Impact Fund report for the period ending June 30, 2014.

b. Adopt Resolution No. 17919 approving the Retention of Housing Impact Fees Collected and Held in Excess of Five Years in Order to Fund Affordable Housing Projects in Mountain View, to be read in title only, further reading waived (Attachment 1 to the Council report).

3. Rental Housing Impact Fund:

a. Acknowledge and file the annual Rental Housing Impact Fund report for the period ending June 30, 2014.

4. Downtown Parking In-Lieu Fund:

a. Acknowledge and file the annual Downtown Parking In-Lieu Fund report for the period ending June 30, 2014.

5. Park Land Dedication Fund:

a. Acknowledge and file the annual Park Land Dedication Fund report for the period ending June 30, 2014.

6. Wastewater Developer Impact Fund:

a. Acknowledge and file the annual Wastewater Developer Impact Fund report for the period ending June 30, 2014.

The motion carried by the following vote:

Yes: 6 - Councilmember Abe-Koga, Councilmember Bryant, Councilmember Kasperzak, Councilmember Siegel, Vice Mayor McAlister, and Mayor Clark

No: 1 - Councilmember Inks

4.4 Accepting City of Mountain View Comprehensive Annual Financial Report and Various Other Related Reports.

Accept, acknowledge, and file the following financial and independent auditor's reports pertaining to Fiscal Year 2013-14:

- City of Mountain View Comprehensive Annual Financial Report and Independent Auditor's Report
- Single Audit Report
- Confirmation Report of Appropriations Limit Calculation
- Bicycle/Pedestrian Projects
- Memorandum on Internal Control and Required Communications from Independent Auditors

These reports are not attached as they were distributed to Council with the Study Session report for the meeting right before this one. They are available for public review in the City Clerk's Office, the Library, and on the Council Agenda page of the City's website at: www.mountainview.gov <<http://www.mountainview.gov>>.

4.5 2015 Council Meeting Schedule.

City Manager Rich responded to Council's questions.

MOTION - M/S Kasperzak/McAlister - To table the item until the December 9, 2014 meeting. The motion carried by the following vote:

Yes: 5 - Councilmember Bryant, Councilmember Inks, Councilmember Kasperzak, Vice Mayor McAlister, and Mayor Clark

Abstain: 2 - Councilmember Abe-Koga, and Councilmember Siegel

4.6 Resolution to Summarily Vacate Public Street and Utility Easement and Street Lighting Facilities Easement at 100 and 190 Moffett Boulevard.

Adopt Resolution No. 17920 Ordering the Summary Vacation of a Public Street and Utility Easement and a Street Lighting Facilities Easement at 100 and 190 Moffett Boulevard (APN 153-26-037 and 153-26-036), to be read in title only, further reading waived (Attachment 1 to the Council Report).

4.7 Approve a Midyear Capital Improvement Project - Trash Capture Device and Cost-Share Agreement for Permanente Creek Flood Protection Project.

1. Approve a midyear capital improvement project, Park Drive Trash Capture Device, transfer and appropriate \$325,000 from the Storm Drain Construction Fund to the new project. (Five votes required); and

2. Authorize the City Manager to execute a cost-sharing agreement with the Santa Clara Valley Water District for the construction of City utility and street improvements adjacent to the Permanente Creek Flood Protection Project.

4.8 2012-13 Water and Sewer Main Replacement, Projects 13-21 and 13-22-Amend Design Professional Services Agreement and Amend Project Budget.

1. Authorize the City Manager to amend the professional services agreement with NV5 for the 2012-13 Water and Sewer Main Replacement, Projects 13-21 and 13-22, increasing compensation by \$36,000, for a total not-to-exceed amount of \$256,000; and

2. Amend the construction contract with K.J. Woods Construction, Inc., to add \$200,000 to the construction contingency for a total contract amount of \$2,588,000.

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

None

6. PUBLIC HEARINGS

6.1 San Antonio Precise Plan.

Mayor Clark opened the Public Hearing at 6:52 p.m.

Councilmember Inks recused himself from acting on this item and left the dais.

Associate Planner Shapiro presented an oral staff report and she, Community Development Director Tsuda and Assistant Community Development Blount, responded to Council's questions.

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS:

Serge Bonte

Mayor Clark closed the Public Hearing at 7:10 p.m.

MOTION - M/S Kasperzak/Clark - To:

- 1. Adopt Resolution No. 17921 Certifying the San Antonio Precise Plan Environmental Impact Report and Adopting CEQA Findings, Mitigation Measures, and a Mitigation Monitoring and Reporting Program, to be read in title only, further reading waived (Attachment 1 to the Council report);**
- 2. Adopt Resolution No. 17922 Amending the General Plan Land Use Map for the Properties on the West Side of San Antonio Road from General Mixed Use to Mixed-Use Corridor, to be read in title only, further reading waived (Attachment 2 to the Council report);**
- 3. Introduce an Ordinance Amending the Zoning Map for the Properties Located in the San Antonio Precise Plan Area from CRA (Commercial/Residential-Arterial), P (Planned Community), P(8) San Antonio Station Precise Plan, P(9) San Antonio Center Precise Plan, P(11) California Street-Showers Drive Precise Plan, and P(12) 394 Ortega Avenue Precise Plan to P(40) San Antonio Precise Plan, to be read in title only, further reading waived, and set a second reading for December 9, 2014 (Attachment 3 to the Council report);**
- 4. Adopt Resolution No. 17923 Amending the San Antonio Station Precise Plan to Remove the Properties Rezoned as Part of the San Antonio Precise Plan, to be read in title only, further reading waived (Attachment 4 to the Council report);**
- 5. Adopt Resolution No. 17924 Adopting the San Antonio Precise Plan, including the language related to the Environmental Planning Commission's recommendation regarding the tier one non-master plan areas, to be read in title only, further reading waived (Attachment 5 to the Council report); and**
- 6. Adopt Resolution No. 17925 Adopting a Minimum Value for Public Benefits Provided By San Antonio Precise Plan Development, to be read in title only, further reading waived (Attachment 6 to the Council report).**

The motion carried by the following vote:

Yes: 6 - Councilmember Abe-Koga, Councilmember Bryant, Councilmember Kasperzak, Councilmember Siegel, Vice Mayor McAlister, and Mayor Clark

Recused: 1 - Councilmember Inks

6.2

405 San Antonio Road - Phase II.

- 1. Adopt a Resolution Certifying The Village at San Antonio Center Phase II Project Final Environmental Impact Report and Adopting CEQA Findings, Including a Statement of Overriding Considerations, Mitigation Measures, and a Mitigation Monitoring and Reporting Program, to be read in title only, further reading waived (Attachment 1 to the Council report).**
- 2. Introduce an Ordinance Amending the Zoning Map for the Properties Located at 405-425 San Antonio Road, 377 San Antonio Road, 391 San Antonio Road, and 455 San Antonio Road (North Parcel Only) from the San Antonio Center Precise Plan (P(9)) Zoning District to P Zoning District, to be read in title only, further reading waived, and set a second reading for December 9, 2014 (Attachment 2 to the Council report).**
- 3. Adopt a Resolution Amending the San Antonio Center Precise Plan District Reference Map and Associated Language, to be read in title only, further reading waived (Attachment 3 to the Council report).**
- 4. Adopt a Resolution Conditionally Approving a Planned Community Permit for a Total of 1,080,867 Square Feet; 107,835 Square Feet of Commercial, Retail, and Restaurant; a 49,751 Square Foot Cinema with 1,410 Seats; 360,909 Square Feet of Office; a 393,914 Square Foot Parking Garage with 1,386 Parking Stalls; a 128,642 Square Foot, 167-Room Hotel and Restaurant; Approximately 39,816 Square Feet of Retail Building Services and Circulation Area; and a Heritage Tree Removal Permit for the Removal of Seven Heritage Trees, to be read in title only, further reading waived (Attachment 4 to the Council report).**
- 5. Adopt a Resolution Amending the Existing Planned Community Permit for the Phase I Project at 455 San Antonio Road, to be read in title only, further reading waived (Attachment 5 to the Council report).**

Mayor Clark opened the Public Hearing at 7:31 p.m.

Senior Planner Minicucci and Merlone Geier Vice President Mike Grehl presented oral reports and they, City Manager Rich, Zoning Administrator Beaudin, and City Attorney Quinn, responded to Council's questions.

SPEAKING FROM THE FLOOR IN SUPPORT OF THE PROJECT AND/OR WITH
RECOMMENDATIONS:

Susan Hamilton
Steve Stoddard, Pacific Catch Restaurant
Jacques Beaudoin
Dick Ahrons
Cindy Davis
James Morgensen
Harris Ginyard
Carla Dimond
Steve Rasmussen
Stan Lau
Dave Lundy
Jesse Manton

SPEAKING FROM THE FLOOR IN OPPOSITION TO THE PROJECT AND/OR WITH
RECOMMENDATIONS:

Joan Brodovsky
Serge Bonte
Lucas Ramirez

Mayor Clark closed the Public Hearing at 8:19 p.m.

Council recessed at 9:10 p.m. and reconvened at 9:26 p.m.

MOTION - M/S Kasperzak/Abe-Koga - To:

- 1. Adopt Resolution No. 17926 Certifying The Village at San Antonio Center Phase II Project Final Environmental Impact Report and Adopting CEQA Findings, Including a Statement of Overriding Considerations, Mitigation Measures, and a Mitigation Monitoring and Reporting Program, to be read in title only, further reading waived (Attachment 1 to the Council report);**
- 2. Introduce an Ordinance Amending the Zoning Map for the Properties Located at 405-425 San Antonio Road, 377 San Antonio Road, 391 San Antonio Road, and 455 San Antonio Road (North Parcel Only) from the San Antonio Center Precise Plan (P(9)) Zoning District to P Zoning District, to be read in title only, further reading waived, and set a second reading for December 9, 2014 (Attachment 2 to the Council report);**
- 3. Adopt Resolution No. 17927 Amending the San Antonio Center Precise Plan District Reference Map and Associated Language, to be read in title only, further reading waived (Attachment 3 to the Council report);**
- 4. Adopt Resolution No. 17928 Conditionally Approving a Planned Community Permit for a Total of 1,080,867 Square Feet; 107,835 Square Feet of Commercial, Retail, and Restaurant; a 49,751 Square Foot Cinema with 1,410 Seats; 360,909 Square Feet of Office; a 393,914 Square Foot Parking Garage with 1,386 Parking Stalls; a 128,642 Square Foot, 167-Room Hotel and Restaurant; Approximately 39,816 Square Feet of Retail Building Services and Circulation Area; and a Heritage Tree Removal Permit for the Removal of Seven Heritage Trees, a community benefit fee of 20 dollars per net new square foot above the .35 FAR, and the recommended cafeteria condition with a modification or other proposals as approved by Council, to be read in title only, further reading waived (Attachment 4 to the Council report); and**
- 5. Adopt Resolution No. 17929 Amending the Existing Planned Community Permit for the Phase I Project at 455 San Antonio Road, to be read in title only, further reading waived (Attachment 5 to the Council report).**

The motion carried by the following vote:

Yes: 6 - Councilmember Abe-Koga, Councilmember Bryant, Councilmember Kasperzak, Councilmember Siegel, Vice Mayor McAlister, and Mayor Clark

Recused: 1 - Councilmember Inks

7. COUNCIL, STAFF/COMMITTEE REPORTS

Mayor Clark reported that the City of Mountain View won the Mayor's Cup in the Silicon Valley Leadership Group Turkey Trot 5K race held on Thanksgiving Day.

8. CLOSED SESSION REPORT

None.

9. ADJOURNMENT - At 9:38 p.m., Mayor Clark adjourned the meeting to the next meeting to be held on Tuesday, December 9, 2014 in the Council Chambers, 500 Castro Street.

ATTEST:

LORRIE BREWER, MMC
CITY CLERK

APPROVED:

CHRISTOPHER R. CLARK
MAYOR